



Order Filed on March 29, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY
COURT
DISTRICT OF NEW JERSEY

Caption in compliance with D.N.J. LBR 9304-2(c)

Mester & Schwartz, P.C.
Jason Brett Schwartz, Esquire
Bar No. 4217
1333 Race Street
Philadelphia, PA 19107

In Re:

ROBERT JOHN MACLEOD and
CHRISTINE MACLEOD,

Debtors

Case No.: 18-25675-MBK

Judge: Michael B. Kaplan

CONSENT ORDER MODIFYING STAY AS TO MOTOR VEHICLE
2016 TOYOTA COROLLA SEDAN 4D LE I4

The relief set forth on the following pages, number two (2) through four (4) is hereby
ORDERED.

DATED: March 29, 2019


Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtors: Robert John MacLeod and Christine MacLeod
Case No.: 18-25675-MBK
Caption of Order: Consent Order Modifying Stay as To Personal Property

1. The 11 USC § 362(a) Stay as to Capital One Auto Finance, a division of Capital One, N.A., its successors and/or assigns ("Movant"), with respect to the personal property of the Debtors described as a 2016 TOYOTA Corolla Sedan 4D LE I4, V.I.N. 2T1BURHE4GC498043, in accordance with the agreement of the Debtors and Movant, is hereby modified and shall remain in effect PROVIDED THAT Debtors comply with the following terms and conditions:

(a) To cure the remaining post-petition arrearage currently ripe, due and owing to Movant, Debtors will make payments to Movant as follow:

DATE PAYMENT DUE	ADEQUATE ASSURANCE PAYMENT	ARREARS	TOTAL
03/21/19	\$304.78	\$84.78	\$389.56
04/21/19	\$304.78	\$84.78	\$389.56
05/21/19	\$304.78	\$84.78	\$389.56
06/21/19	\$304.78	\$84.78	\$389.56
07/21/19	\$304.78	\$84.78	\$389.56
08/21/19	\$304.78	\$84.78	\$389.56
Total	\$1,828.68	\$508.68	\$2,337.36

(b) Debtors will resume making all future regular monthly installment payments of \$304.78 (subject to changes for taxes, insurance costs and late fees, if any) beginning on September 21, 2019; Debtors will timely make each payment in accordance with the terms and conditions of the loan document between Debtors and Movant.

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Debtors: Robert John MacLeod and Christine MacLeod
Case No.: 18-25675-MBK
Caption of Order: Consent Order Modifying Stay as To Personal Property

2. Debtors will remain current on all payments ripe, due and owing under the terms of the Chapter 13 Plan. Debtor will pay Movant as an administrative expense through the Chapter 13 Plan the sum of \$481.00 for attorney's fees and costs.

3. The term "payment" as set forth in Paragraph 1, *supra*, does not include a check that is returned due to insufficient funds, account closed, or is otherwise not capable of negotiation for any other reason.

4. Debtors will be in default under the Consent Order in the event that Debtors fail to comply with the payment terms and conditions set forth in Paragraph 1, *supra*. If Debtors fail to cure the default within thirty (30) days from the date of default, Movant may apply on five days' notice to counsel for Debtors and the Chapter 13 Trustee for an order lifting the automatic stay imposed under 11 U.S.C. § 362(a) and permitting Movant to exercise any rights under the loan documents with respect to the motor vehicle including, but not limited to, initiating and completing a foreclosure sale of the motor vehicle without regard to any future conversion of this matter to a different form of bankruptcy.

5. In the event Debtors convert to a bankruptcy under any Chapter other than Chapter 13 of the Bankruptcy Code, then Debtors shall pay all pre-petition arrears and post-petition arrears due and owing within fifteen (15) days from the date the case is converted from Chapter 13 to any other Chapter. If Debtors fail to make payments in accordance with this paragraph, then Movant, through counsel, may file a Certification of Default setting forth said failure and Movant shall be granted

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Debtors: Robert John MacLeod and Christine MacLeod
Case No.: 18-25675-MBK
Caption of Order: Consent Order Modifying Stay as To Personal Property


immediate relief from the automatic stay provisions of Section 362 of the Bankruptcy Code (11 U.S.C. § 362) and the Movant is then permitted to exercise any rights under the loan documents with respect to the motor vehicle including, but not limited to, initiating and completing a foreclosure sale of the motor vehicle.

6. Debtors may default and cure the default under the Consent Order one (1) time. If Debtors default a second (2nd) time, Movant may serve a notice of default in accordance with Paragraphs 4, *supra*, but Debtors will not be granted an opportunity to cure the default.

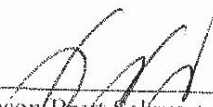
7. The failure of Movant to issue a notice of default will not be construed or act as a waiver of any of the rights of Movant under the Consent Order.

8. Debtors waive the fourteen (14) day stay provided under Rule 4001(a)(3), F.R.B.P.

We hereby consent to the form and entry of the foregoing Order.



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Attorney for Debtors



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of Capital One, N.A.

Certificate of Notice Page 5 of 5
United States Bankruptcy Court
District of New Jersey

In re:
Robert John MacLeod
Christine MacLeod
Debtors

Case No. 18-25675-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Mar 29, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 31, 2019.
db/jdb Robert John MacLeod, Christine MacLeod, 47 Venice Dr, Brick, NJ 08723-7603

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 31, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 29, 2019 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Jason Brett Schwartz on behalf of Creditor Capital One Auto Finance
jschwartz@mesterschwartz.com
John R. Morton, Jr. on behalf of Creditor Americredit Financial Services, Inc., d/b/a GM
Financial ecfmail@mortoncraig.com, mortoncraigecf@gmail.com
Kevin Gordon McDonald on behalf of Creditor MTGLQ Investors, L.P. kmcdonald@kmlawgroup.com,
bkggroup@kmlawgroup.com
MaryBeth Schroeder on behalf of Joint Debtor Christine MacLeod marybeth@schroedermb-law.com
MaryBeth Schroeder on behalf of Debtor Robert John MacLeod marybeth@schroedermb-law.com
Steven P. Kelly on behalf of Creditor MTGLQ Investors, L.P. skelly@sterneisenberg.com,
bkecf@sterneisenberg.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8